

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 1-7 and 15-21 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,584,210 to Taguchi et al. (“*Taguchi*”); and rejected claims 8-14 and 22-28 under 35 U.S.C. § 103(a) as being unpatentable over *Taguchi* in view of U.S. Patent No. 6,330,672 to Shur (“*Shur*”).

Applicant respectfully traverses the rejection of claims 1-7 and 15-21 as allegedly anticipated by *Taguchi*.

Independent claim 1, for example, recites an information processing apparatus comprising, among other things, a “communicating means for transmitting the detection signal to another apparatus.” *Taguchi* fails to teach or suggest at least the claimed communicating means.

*Taguchi* discloses, “[a] difference comparison image 1201 is formed ... to obtain a difference between the watermark detecting image 1200 and original image 900 ... by comparing the data value of the difference comparison image 1201 with that of the difference discrimination image 1103, the information added to the watermark detecting image is read out” (*Taguchi*, col. 11, lines 37-52). The Examiner asserts that this language in *Taguchi* discloses the claimed communicating means (Office Action at p. 2). However, even assuming one or more of the difference comparison image 1201, watermark detecting image 1200, original image 900, or difference discrimination image 1103 correspond to the claimed “detection signal,” *Taguchi* fails to disclose that any of these images 1201, 1200, 900, and 1103 are transmitted to another apparatus.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

*Taguchi*, therefore, fails to teach or suggest the claimed “communicating means for transmitting the detection signal to another apparatus.”

Moreover, the communicating means of claim 1 is for “receiving a processed result for the digital watermark information detected from the detection signal.” However, even assuming that one or more of the images 1201, 1200, 900, and 1103 correspond to the claimed digital watermark information, *Taguchi* fails to disclose receiving a processed result for any of the images 1201, 1200, 900, and 1103. *Taguchi*, therefore, fails to teach or suggest the claimed “communicating means for ... receiving a processed result for the digital watermark information detected from the detection signal.”

*Taguchi* thus does not anticipate claim 1, and Applicant respectfully requests the allowance of claim 1. Although of different scope than claim 1, *Taguchi* does not anticipate claim 15 for at least the same reasons as claim 1.

Claims 2-7 depend from claim 1, and claims 16-21 depend from claim 15. Because *Taguchi* does not support the rejection of independent claims 1 and 15 under 35 U.S.C. § 102(e), *Taguchi* also does not support the rejection of dependent claims 2-7 and 16-21.

Applicant respectfully traverses the rejection of claims 8-14 and 22-28 under 35 U.S.C. § 103(a). Claims 8-14 depend from claim 1, and claims 22-28 depend from claim 15. As already discussed, *Taguchi* fails to teach or suggest the claimed communicating means.

*Shur* does not teach or suggest a “communicating means for transmitting the detection signal to another apparatus.” *Shur* discloses, “a digital watermark is inserted

into a quantized digital information signal resulting from the perceptual coding process in such a manner that its insertion is imperceptible to one later listening to, displaying or otherwise utilizing the information signal.” (*Shur*, abstract). However, even assuming the digital watermark or quantized digital information signal corresponds to the claimed detection signal, *Shur* fails to disclose that either the digital watermark or quantized digital information signal is transmitted to another apparatus. *Shur*, therefore, fails to teach or suggest the claimed “communicating means for transmitting the detection signal to another apparatus.”

Moreover, the claimed communicating means is for “receiving a processed result for the digital watermark information detected from the detection signal.” Even assuming the digital watermark or quantized digital information signal corresponds to the claimed digital watermark information, *Shur* fails to disclose receiving a processed result for either of the digital watermark or quantized digital information signal. *Shur*, therefore, fails to teach or suggest the claimed “communicating means for ... receiving a processed result for the digital watermark information detected from the detection signal.”

Dependent claims 9 and 23 recite additional features not taught or suggested by the cited references. Claim 9, for example, recites an information processing apparatus, “wherein [a] predetermined parameter sets the range of playback time of an information signal on which relevant information is superimposed.” While the Examiner concedes that *Taguchi* fails to disclose this subject matter, the Examiner alleges that *Shur* discloses the claimed predetermined parameter (Office Action at p. 5, citing *Shur* col. 6, lines 1-37). The cited portions of *Shur* disclose, “generation of N sample points

for [an] input digital stream" followed by a "perceptual threshold determination step 105 ... such that below the threshold may be data points that are not perceptible to human perception" (*Shur* col. 6, lines 2-19). However, *Shur* fails to disclose that the data points or threshold are processed in a manner that sets the range of playback time of an information signal. Thus, *Shur* fails to teach or suggest the claimed "predetermined parameter sets the range of playback time of an information signal on which relevant information is superimposed." Claim 23, although of different scope than claim 9, also recites subject matter not taught by the cited references.

Because the cited references fail to teach or suggest the subject matter of claims 8-14 and 22-28, no *prima facie* case of obviousness has been established with respect to these claims. Applicant therefore respectfully requests the Examiner to withdraw the rejection of these claims under 35 U.S.C. § 103(a).

Applicant thus requests reconsideration of this application and the allowance of claims 1-28.

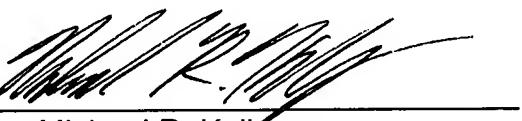
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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